

Calendar No. 420

109TH CONGRESS
2^D SESSION**H. R. 2720**

IN THE SENATE OF THE UNITED STATES

MAY 3, 2006

Received; read twice and placed on the calendar

AN ACT

To further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Salt Cedar and Rus-

5 sian Olive Control Demonstration Act”.

1 **SEC. 2. SALT CEDAR AND RUSSIAN OLIVE CONTROL DEM-**
2 **ONSTRATION PROGRAM.**

3 (a) ESTABLISHMENT.—The Secretary of the Interior
4 (referred to in this Act as the “Secretary”), acting
5 through the Commissioner of Reclamation and the Direc-
6 tor of the United States Geological Survey and in coopera-
7 tion with the Secretary of Agriculture and the Secretary
8 of Defense, shall carry out a salt cedar (*Tamarix* spp) and
9 Russian olive (*Elaeagnus angustifolia*) assessment and
10 demonstration program—

11 (1) to assess the extent of the infestation by
12 salt cedar and Russian olive trees in the western
13 United States;

14 (2) to demonstrate strategic solutions for—

15 (A) the long-term management of salt
16 cedar and Russian olive trees; and

17 (B) the reestablishment of native vegeta-
18 tion; and

19 (3) to assess economic means to dispose of bio-
20 mass created as a result of removal of salt cedar and
21 Russian olive trees.

22 (b) MEMORANDUM OF UNDERSTANDING.—As soon
23 as practicable after the date of enactment of this Act, the
24 Secretary and the Secretary of Agriculture shall enter into
25 a memorandum of understanding providing for the admin-
26 istration of the program established under subsection (a).

1 (c) ASSESSMENT.—

2 (1) IN GENERAL.—Not later than 1 year after
3 the date on which funds are made available to carry
4 out this Act, the Secretary shall complete an assess-
5 ment of the extent of salt cedar and Russian olive
6 infestation on public and private land in the western
7 United States.

8 (2) REQUIREMENTS.—In addition to describing
9 the acreage of and severity of infestation by salt
10 cedar and Russian olive trees in the western United
11 States, the assessment shall—

12 (A) consider existing research on methods
13 to control salt cedar and Russian olive trees;

14 (B) consider the feasibility of reducing
15 water consumption by salt cedar and Russian
16 olive trees;

17 (C) consider methods of and challenges as-
18 sociated with the revegetation or restoration of
19 infested land; and

20 (D) estimate the costs of destruction of
21 salt cedar and Russian olive trees, related bio-
22 mass removal, and revegetation or restoration
23 and maintenance of the infested land.

24 (3) REPORT.—

1 (A) IN GENERAL.—The Secretary shall
2 submit to the Committee on Energy and Nat-
3 ural Resources and the Committee on Agri-
4 culture, Nutrition, and Forestry of the Senate
5 and the Committee on Resources and the Com-
6 mittee on Agriculture of the House of Rep-
7 resentatives a report that includes the results of
8 the assessment conducted under paragraph (1).

9 (B) CONTENTS.—The report submitted
10 under subparagraph (A) shall identify—

11 (i) long-term management and fund-
12 ing strategies identified under subsection
13 (d) that could be implemented by Federal,
14 State, tribal, and private land managers
15 and owners to address the infestation by
16 salt cedar and Russian olive;

17 (ii) any deficiencies in the assessment
18 or areas for additional study; and

19 (iii) any field demonstrations that
20 would be useful in the effort to control salt
21 cedar and Russian olive.

22 (d) LONG-TERM MANAGEMENT STRATEGIES.—

23 (1) IN GENERAL.—The Secretary shall identify
24 and document long-term management and funding
25 strategies that—

1 (A) could be implemented by Federal,
2 State, tribal, and private land managers in ad-
3 dressing infestation by salt cedar and Russian
4 olive trees; and

5 (B) should be tested as components of
6 demonstration projects under subsection (e).

7 (2) GRANTS.—

8 (A) IN GENERAL.—The Secretary may
9 provide grants to eligible entities to provide
10 technical experience, support, and recommenda-
11 tions relating to the identification and docu-
12 mentation of long-term management and fund-
13 ing strategies under paragraph (1).

14 (B) ELIGIBLE ENTITIES.—Institutions of
15 higher education and nonprofit organizations
16 with an established background and expertise in
17 the public policy issues associated with the con-
18 trol of salt cedar and Russian olive trees shall
19 be eligible for a grant under subparagraph (A).

20 (C) MINIMUM AMOUNT.—The amount of a
21 grant provided under subparagraph (A) shall be
22 not less than \$250,000.

23 (e) DEMONSTRATION PROJECTS.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date on which funds are made available to

1 carry out this Act, the Secretary shall establish a
2 program that selects and funds not less than 5
3 projects proposed by and implemented in collabora-
4 tion with Federal agencies, units of State and local
5 government, national laboratories, Indian tribes, in-
6 stitutions of higher education, individuals, organiza-
7 tions, or soil and water conservation districts to
8 demonstrate and evaluate the most effective methods
9 of controlling salt cedar and Russian olive trees.

10 (2) PROJECT REQUIREMENTS.—The demonstra-
11 tion projects under paragraph (1) shall—

12 (A) be carried out over a time period and
13 to a scale designed to fully assess long-term
14 management strategies;

15 (B) implement salt cedar or Russian olive
16 tree control using 1 or more methods for each
17 project in order to assess the full range of con-
18 trol methods, including—

19 (i) airborne application of herbicides;

20 (ii) mechanical removal; and

21 (iii) biocontrol methods, such as the
22 use of goats or insects;

23 (C) individually or in conjunction with
24 other demonstration projects, assess the effects
25 of and obstacles to combining multiple control

1 methods and determine optimal combinations of
2 control methods;

3 (D) assess soil conditions resulting from
4 salt cedar and Russian olive tree infestation
5 and means to revitalize soils;

6 (E) define and implement appropriate final
7 vegetative states and optimal revegetation
8 methods, with preference for self-maintaining
9 vegetative states and native vegetation, and tak-
10 ing into consideration downstream impacts,
11 wildfire potential, and water savings;

12 (F) identify methods for preventing the re-
13 growth and reintroduction of salt cedar and
14 Russian olive trees;

15 (G) monitor and document any water sav-
16 ings from the control of salt cedar and Russian
17 olive trees, including impacts to both ground-
18 water and surface water;

19 (H) assess wildfire activity and manage-
20 ment strategies;

21 (I) assess changes in wildlife habitat;

22 (J) determine conditions under which re-
23 moval of biomass is appropriate (including opti-
24 mal methods for the disposal or use of bio-
25 mass); and

1 (K) assess economic and other impacts as-
2 sociated with control methods and the restora-
3 tion and maintenance of land.

4 (f) DISPOSITION OF BIOMASS.—

5 (1) IN GENERAL.—Not later than 1 year after
6 the date on which funds are made available to carry
7 out this Act, the Secretary, in cooperation with the
8 Secretary of Agriculture, shall complete an analysis
9 of economic means to use or dispose of biomass cre-
10 ated as a result of removal of salt cedar and Russian
11 olive trees.

12 (2) REQUIREMENTS.—The analysis shall—

13 (A) determine conditions under which re-
14 moval of biomass is economically viable;

15 (B) consider and build upon existing re-
16 search by the Department of Agriculture and
17 other agencies on beneficial uses of salt cedar
18 and Russian olive tree fiber; and

19 (C) consider economic development oppor-
20 tunities, including manufacture of wood prod-
21 ucts using biomass resulting from demonstra-
22 tion projects under subsection (e) as a means of
23 defraying costs of control.

24 (g) COSTS.—

1 (1) IN GENERAL.—With respect to projects and
2 activities carried out under this Act—

3 (A) the assessment under subsection (c)
4 shall be carried out at a cost of not more than
5 \$4,000,000;

6 (B) the identification and documentation
7 of long-term management strategies under sub-
8 section (d)(1) and the provision of grants under
9 subsection (d)(2) shall be carried out at a cost
10 of not more than \$2,000,000;

11 (C) each demonstration project under sub-
12 section (e) shall be carried out at a Federal cost
13 of not more than \$7,000,000 (including costs of
14 planning, design, implementation, maintenance,
15 and monitoring); and

16 (D) the analysis under subsection (f) shall
17 be carried out at a cost of not more than
18 \$3,000,000.

19 (2) COST-SHARING.—

20 (A) IN GENERAL.—The assessment under
21 subsection (c), the identification and docu-
22 mentation of long-term management strategies
23 under subsection (d), a demonstration project
24 or portion of a demonstration project under
25 subsection (e) that is carried out on Federal

1 land, and the analysis under subsection (f) shall
2 be carried out at full Federal expense.

3 (B) DEMONSTRATION PROJECTS CARRIED
4 OUT ON NON-FEDERAL LAND.—

5 (i) IN GENERAL.—The Federal share
6 of the costs of any demonstration project
7 funded under subsection (e) that is not
8 carried out on Federal land shall not ex-
9 ceed 75 percent.

10 (ii) FORM OF NON-FEDERAL
11 SHARE.—The non-Federal share of the
12 costs of a demonstration project that is not
13 carried out on Federal land may be pro-
14 vided in the form of in-kind contributions,
15 including services provided by a State
16 agency or any other public or private part-
17 ner.

18 (h) COOPERATION.—In carrying out the assessment
19 under subsection (c), the demonstration projects under
20 subsection (e), and the analysis under subsection (f), the
21 Secretary shall cooperate with and use the expertise of
22 Federal agencies and the other entities specified in sub-
23 section (e)(1) that are actively conducting research on or
24 implementing salt cedar and Russian olive tree control ac-
25 tivities.

1 (i) INDEPENDENT REVIEW.—The Secretary shall
2 subject to independent review—

3 (1) the assessment under subsection (c);

4 (2) the identification and documentation of
5 long-term management strategies under subsection
6 (d);

7 (3) the demonstration projects under subsection
8 (e); and

9 (4) the analysis under subsection (f).

10 (j) REPORTING.—

11 (1) IN GENERAL.—The Secretary shall submit
12 to Congress an annual report that describes the re-
13 sults of carrying out this Act, including a synopsis
14 of any independent review under subsection (I) and
15 details of the manner and purposes for which funds
16 are expended.

17 (2) PUBLIC ACCESS.—The Secretary shall fa-
18 cilitate public access to all information that results
19 from carrying out this Act.

20 (k) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—There are authorized to be
22 appropriated to carry out this Act—

23 (A) \$20,000,000 for fiscal year 2006; and

24 (B) \$15,000,000 for each of fiscal years
25 2007 through 2010.

1 (2) ADMINISTRATIVE COSTS.—Not more 15
2 percent of amounts made available under paragraph
3 (1) shall be used to pay the administrative costs of
4 carrying out the program established under sub-
5 section (a).

6 (1) TERMINATION OF AUTHORITY.—This Act and the
7 authority provided by this Act terminate on the date that
8 is 5 years after the date of the enactment of this Act.

Passed the House of Representatives May 2, 2006.

Attest:

KAREN L. HAAS,

Clerk.

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